

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

LIQWD, INC. and OLAPLEX LLC,)	
)	
Plaintiffs,)	
)	
v.)	C. A. No. 17-14 (JFB) (SRF)
)	
L'ORÉAL USA, INC., L'ORÉAL USA)	
PRODUCTS, INC, L'ORÉAL USA S/D,)	
INC., and REDKEN 5 TH AVENUE NYC,)	
L.L.C.,)	
)	
Defendants.)	

FINAL JUDGMENT

This action was tried before a jury beginning August 5, 2019, with the Honorable Joseph F. Bataillon presiding. On August 12, 2019, the jury rendered a verdict. The verdict was accompanied by a verdict form, which was signed by the foreperson and all jurors as a unanimous verdict, and was accepted by the Court and filed in a redacted form by the Clerk (D.I. 1060). On August 16, 2019, the Court issued a Permanent Injunction (D.I. 1073). On August 20, 2019, the Court entered a non-final Judgment on the Jury Verdict (D.I. 1078), which invited post-trial briefing. The parties fully submitted post-trial briefing as of October 29, 2019. *See* D.I. 1127 (Scheduling Stipulation). Thereafter, on December 16, 2019, the Court issued its Memorandum and Order resolving the parties' post-trial motions (D.I. 1162).

Pursuant to the Court's Memorandum and Order on post-trial motions (D.I. 1162), the Jury Verdict (D.I. 1060), and the court's entry of Judgment on the Jury Verdict (D.I. 1078), final judgment is hereby entered as follows:

1. IT IS ORDERED AND ADJUDGED that judgment be and is hereby entered in favor of plaintiffs Liqwd, Inc. and Olaplex LLC (together, "Plaintiffs") and against defendants

L'Oréal USA, Inc., L'Oréal USA Products, Inc., L'Oréal USA S/D, Inc., and Redken 5th Avenue NYC, L.L.C. (together, "Defendants") on Plaintiffs' claims of infringement of U.S. Patent No. 9,498,419 (the "'419 Patent"), infringement of U.S. Patent No. 9,668,954 (the "'954 Patent," and together with the '419 Patent, the "Asserted Patents"), trade secret misappropriation, and breach of contract;

2. IT IS FURTHER ORDERED AND ADJUDGED that judgement be and hereby is entered in favor of Plaintiffs and against Defendants with respect to Plaintiffs claims for enhanced damages under 35 U.S.C. § 284 and for a declaration that this case is exceptional under 35 U.S.C. § 285;

3. IT IS FURTHER ORDERED AND ADJUDGED that judgment be and hereby is entered in favor of Plaintiffs and against Defendants with respect to Plaintiffs' claims that Defendants' infringement of the Asserted Patents was willful and that Defendants' trade secret misappropriation was willful and malicious;

4. IT IS FURTHER ORDERED AND ADJUDGED that judgment be and hereby is entered in favor of Plaintiffs and against Defendants in the amount of \$66,167,843, which amount is the sum of:

- a. \$24,960,000.00 in compensatory damages for all four of Plaintiffs' causes of action;
- b. \$24,960,000.00 in exemplary damages arising from Plaintiffs' patent infringement and trade secret misappropriation causes of action;
- c. \$13,514,913 in attorney fees and other compensable fees;
- d. \$2,732,930 in pre-judgment interest, calculated upon the \$24,960,000 compensatory damages award for the period of June 6, 2017 to December 16,

2019 at the prime rate as of June 6, 2017, compounded quarterly;

5. IT IS FURTHER ORDERED AND ADJUDGED that Defendants shall pay Plaintiffs post-judgment interest at the statutory interest rate pursuant to 28 U.S.C. § 1961 in the amount of \$2,813.49 per day beginning the day this Final Judgment is entered and ending the day upon which Defendants fully satisfy this Final Judgment;

6. IT IS FURTHER ORDERED AND ADJUDGED that judgment be and hereby is entered in favor of Plaintiffs and against Defendants with respect to Defendants' defense that the asserted claims of the Asserted Patents are invalid;

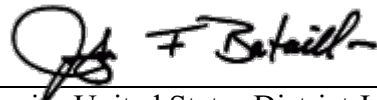
7. IT IS FURTHER ORDERED AND ADJUDGED that judgment be and hereby is entered in favor of Plaintiffs and against Defendants on Defendants' Counterclaims (D.I. 650), and that Defendants' counterclaims are hereby dismissed;

8. IT IS FURTHER ORDERED AND ADJUDGED that judgment be and hereby is entered in favor of Plaintiffs and against Defendants on each of Defendants' Affirmative Defenses (D.I. 650).

IT IS SO ORDERED.

DATED this 24th day of March 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to read "F. Bataillon", is written over a horizontal line.

Senior United States District Judge